CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	√ Force	☐ Discourt.	□ U.S.
Shevani Patel		Squad #3	201501968	☐ Abuse	□ O.L.	✓ Injury
Incident Date(s)		Location of Incident:		Precinct:	18 Mo. SOL	EO SOL
Sunday, 03/08/2015 4:31 AM		§ 87(2)(b)		42	9/8/2016	9/8/2016
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/Time	e Received at CCI	RB
Mon, 03/09/2015 10:27 PM		IAB	Phone	Wed, 03/1	18/2015 1:24 PM	1
Complainant/Victim	Type	Home Addre	SS			
Witness(es)	Home Address					
Subject Officer(s)	Shield	TaxID	Command			
1. POM Eduardo Perezromero	22325	940571	042 PCT			
2. POM John Moise	29985	946014	042 PCT			
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. POM Kevin Istorico	31534	952884	042 PCT			
2. POM Gregory Tomassi	13234	953486	042 PCT			
Officer(s)	Allegation	on		Inv	estigator Recon	nmendation
A.POM Eduardo Perezromero	Force: PO Eduardo Perez-Romero used physical force against § 87(2)(b)			e		
	§ 87(4-b), § 8					
	S (), S	() (6)				

Case Summary

On March 8, 2015, at approximately 4:31 a.m., PO Kevin Istorico and PO Gregory Tomassi of the 42nd Precinct responded to a dispute between and sarcely in front of in the Bronx. Sar(2)(b) was arrested. Other officers from the 42nd Precinct responded to the scene. Sar(2)(b) denied having sustained any injury from the disputor his apprehension. PO Robert Moise and PO Eduardo Perez-Romero of the 42nd Precinct transported back to the stationhouse. PO Moise drove and PO Perez-Romero sat in the backseat next to Sar(2)(b) by his armpits, pushed him so his back rested on the floor of the combetween the front and back seats and punched the left side of his face with a closed fist about to 100 times (Allegation A). Sar(2)(b) was taken to Sar(2)(c) where he was diagnosed with a left orbital fracture and laceration to his face.	te
Mediation, Civil and Conviction Histories This case was ineligible for mediation. Ser(2)(b) York on Ser(2)(b) claiming assault, battery, false arrest, emotional distress and physical pand injury, and seeking one million and two hundred thousand for redress (Board Review 01). Ser(2)(b) Ser(2)(c) Ser(1)(3)&(4) Ser(2)(c)	ain
 Civilian and Officers CCRB Histories This is the first complaint filed by (Board Review 04). PO Perez-Romero has been a member of the NYPD for nine years and has had 16 previous CCRB allegations involving four cases with no substantiated allegations. Nine of the previous allegations are involving physical force. In case 201406540, it was alleged by a civilian the in the back of the RMP en route to the 42nd Precinct stationhouse, PO Perez-Romero punched his face, elbowed his ribs and head, struck his elbows, side, and face with an asp pepper-sprayed him. PO Moise was driving. There was no other officer in the car. None of allegations were substantiated. PO Moise has been a member of service for seven years and has eight previous CCRB allegations involving five cases with one other misconduct allegation for failing to prepare memo book entries. 	ious at and f the
Investigative Findings and Recommendations Allegation A – Force: PO Eduardo Perez-Romero used physical force against 887(2)(b) had no complaints regarding his apprehension. He stated that an officer identified investigation as PO Istorico grabbed his arms. 887(2)(b) said that he resisted by holding his a stiff in front of his body. An officer identified by investigation as PO Tomassi also approached and tried to pull his arms. While each officer held onto	rms

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unmarked black Impala. He was seated behind the front passenger's seat. An officer identified by investigation as PO Moise drove while an officer identified by investigation as PO Perez-Romero

officers handcuffed him. The entire struggle lasted about 2 or 3 minutes. §87(2)(b)

injury from being handcuffed. Several more officers arrived. § 87(2)(b)

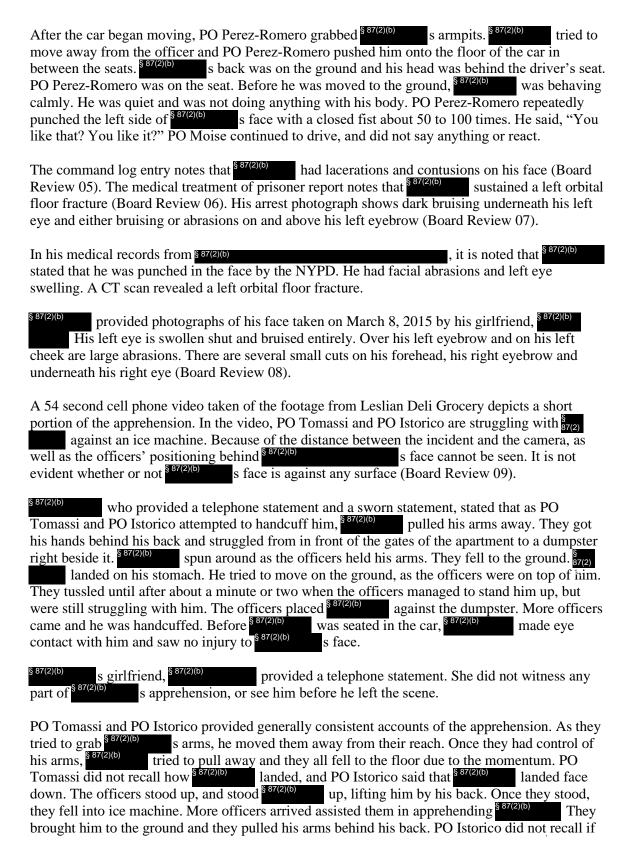
put his own hands behind his back. The

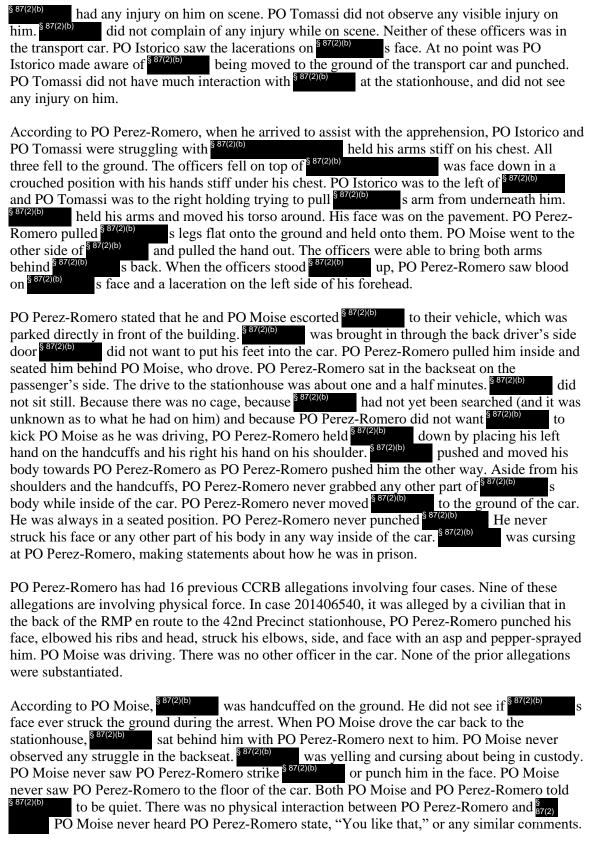
sustained no

was transported in an

sat next to § 87(2)(b)

and brought him to the ground face down. §87(2)(b)





the vehicle and escorted him inside. PO Moise saw lacerations on scene because the arrest happened so quickly. He also added that it had been dark out. s face. He did not Patrol Guide Procedure 203-11 authorizes officers only to use the minimum necessary force (Board Review 10). Team: __ Investigator: _ Signature Print Date Supervisor: Title/Signature Print Date Reviewer: Title/Signature Print Date

Once they reached the stationhouse, PO Moise and PO Perez-Romero removed §87(2)(6)

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Reviewer:			
	Title/Signature	Print	Date